

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

IN RE:	}	
	}	
RAFAEL RAMIREZ RIOS	}	CASE NO. 24-50448P
	}	
	}	
DEBTOR	}	
	}	
<hr/>		
JOHNNY W. THOMAS, TRUSTEE	}	
	}	
PLAINTIFF	}	CHAPTER 7
	}	
VS.	}	
	}	
RAFAEL RAMIREZ RIOS	}	
	}	
DEFENDANT	}	

MOTION TO DISMISS

THIS PLEADING REQUESTS RELIEF THAT MAY BE ADVERSE TO YOUR INTERESTS.

IF NO TIMELY RESPONSE IS FILED WITHIN TWENTY ONE (21) DAYS FROM THE DATE OF SERVICE, THE RELIEF REQUESTED HEREIN MAY BE GRANTED WITHOUT A HEARING BEING HELD.

A TIMELY FILED RESPONSE IS NECESSARY FOR A HEARING TO BE HELD.

Comes now JOHNNY W. THOMAS, (Chapter 7 Trustee) and files this Motion to Dismiss. In Support thereof, the Trustee would show:

I.

This case was filed on March 21, 2024, as a Chapter 7 proceeding. Movant is the Trustee in the Chapter 7 proceeding. This motion is filed pursuant to the provisions of Section 707(a) of the Bankruptcy Code, Federal Rule of Bankruptcy Procedure 1017(f) Local Rule 1017.

II.

The first meeting of creditors was duly set for April 23, 2024. The debtor did not appear at the first meeting of creditors. The Debtor has still not filed schedules. The debtor has not provided the required 341 documents. It appears that dismissal would not unduly prejudice creditors of this estate.

H/Motion to Dismiss Rios

III.

Because the Debtor has failed to appear at the 341 meeting on April 23, 2024, and file schedules, the Court should enter an Order dismissing this case for cause.

WHEREFORE, premises considered, the Trustee requests the Court to enter an Order dismissing this case for cause, and for such other and further relief, at law or in equity, as to which he may be justly entitled.

DATED: May 8, 2024

Respectfully submitted,
Johnny W. Thomas
Chapter 7 Trustee
1149 E. Commerce Street, #104
St. Paul Square
San Antonio, TX 78205
(210) 226-5888 Fax: (210) 226-6085

By: /S/ JOHNNY W. THOMAS
JOHNNY W. THOMAS
SBN 19856500

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 8^h day of May 2024, a true and correct copy of the foregoing document was served via first-class mail, postage prepaid, on the parties on the attached lists:

RAFAEL RAMIREZ RIOS
9310 Wind Dancer
San Antonio, Texas 78251

Debtor(s)

US Trustee
615 E. Houston Rm 533
San Antonio, TX 78205

Ricardo Ojeda Jr.
4423 NW Loop 410, Ste. 200
San Antonio, Texas 78229

/S/ JOHNNY W. THOMAS
JOHNNY W. THOMAS